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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/514,423	11/16/2004	Takashi Nomura	029267.5561IUS	6463

23911 7590 11/25/2008
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EXAMINER	
HOANG, SON T	

ART UNIT	PAPER NUMBER
2165	

MAIL DATE	DELIVERY MODE
11/25/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/514,423	NOMURA, TAKASHI	
	Examiner	Art Unit	
	SON T. HOANG	2165	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *03* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *12 November 2008*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-31* is/are pending in the application.

4a) Of the above claim(s) *22-31* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-21* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *11/16/2204* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☒ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *16 November 2004*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Status

1. The preliminary amendment filed on November 16, 2004 is found eligible and has been entered.

This instant application, having Application No. 10/514,423, has **claims 1-31** pending in this instant Office action.

Election/Restrictions

2. **Claims 22-31** are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected group of invention. Election was made **without** traverse in the reply filed on November 12, 2008. The Examiner only considers pending **claims 1-21** hereon.

Oath/Declaration

3. The Applicant's oath/declaration has been reviewed by the Examiner and is found to conform to the requirements prescribed in **37 C.F.R. 1.63.**

Information Disclosure Statement

4. As required by **M.P.E.P. 609(C)**, the Applicant's submission of the Information Disclosure Statements dated 16 November 2004 is acknowledged by the Examiner. None of the cited documents has been considered since it appears that their legible copies have not been received by the Office. See **M.P.E.P 609.04(a)** for requirements of foreign patent documents. As required by **M.P.E.P 609 C(2)**, a copy of the PTOL-1449 initialed and dated by the Examiner is attached to the instant Office action.

Priority / Filing Date

5. The Applicant's claim for priority of Japanese Applications No. JP 2002-143111 and No. JP 2002-143112 (both filed on May 17, 2002) is acknowledged. However, since it appears that a certified copy of '112 was not received by the Office, the foreign priority of '112 cannot be verified.

The Examiner only takes the foreign priority of '111 (filed on May 17, 2002) into consideration.

Abstract

6. The abstract of the disclosure is acceptable for examination purposes.

Drawings

7. The drawings were received on November 16, 2004. These drawings are acceptable for examination purposes.

Claim Rejections - 35 USC § 101

8. 35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

9. **Claims 1-21** are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Regarding **claim 1**, a "*data product*" with multiple components, i.e. structure having the map-related information, structure having management information is being claimed. However, these claimed structures can easily be interpreted by a person with ordinary skills in the art as software per se and functional descriptive material consisting of data structures and computer programs, which impart functionality when employed as

computer component(s). As such, the claim is not limited to statutory subject matter and is therefore non-statutory.

Claims 2-21 fail to resolve the deficiencies of **claim 1** since they only further limit the scope of **claim 1**. Hence, **claims 2-21** are also rejected under 35 U.S.C. 101.

The claims above lack the necessary physical articles or objects to constitute a machine or a manufacture within the meaning of 35 U.S.C. 101. They are clearly not a series of steps or acts to be a process nor are they a combination of chemical compounds to be a composition of matter. As such, they fail to fall within a statutory category. They are, at best, functional descriptive material *per se*.

Descriptive material can be characterized as either "functional descriptive material" or "nonfunctional descriptive material." Both types of "descriptive material" are nonstatutory when claimed as descriptive material *per se*, 33 F.3d at 1360, 31 USPQ2d at 1759. When functional descriptive material is recorded on some computer-readable medium, it becomes structurally and functionally interrelated to the medium and will be statutory in most cases since use of technology permits the function of the descriptive material to be realized. Compare *In re Lowry*, 32 F.3d 1579, 1583-84, 32 USPQ2d 1031, 1035 (Fed. Cir. 1994)

Merely claiming nonfunctional descriptive material, i.e., abstract ideas, stored on a computer-readable medium, in a computer, or on an electromagnetic carrier signal, does not make it statutory. See Diehr, 450 U.S. at 185-86, 209 USPQ at 8 (noting that the claims for an algorithm in *Benson* were unpatentable as abstract ideas because

"[t]he sole practical application of the algorithm was in connection with the programming of a general purpose computer.")

Claim Rejections - 35 USC § 102

10. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

11. **Claims 1-10**, and **13-21** are rejected under 35 U.S.C. 102(a) as being anticipated by Nakano et al. (*Pub. No. EP 1134674, published on September 19, 2001; hereinafter Nakano*).

Regarding **claim 1**, Nakano clearly shows and discloses a data product that can be read into a computer or a map data processing apparatus, containing therein map data having map-related information of a map (*Figure 1*), the map data comprising:

a structure having the map-related information divided into units of a plurality of divisions into which the map is divided (*Figure 3 is a diagram used to explain units at the highest level (level "3"). The world map of Figure 3 is sectioned at intervals of 5 degrees 20 minutes in the latitude direction on the basis of latitude 0 degree. This world map is also sectioned at equal intervals of about 8 degrees in the longitude direction on the basis of longitude 0 degree. As a result, the world map is divided into rectangular areas about 640 kilometers square. At the highest level (level "3".), the rectangular area about 640 kilometers square is referred to as a unit*, [0052]); and

a structure having management information for the map-related information divided into units of the divisions (*Figure 7 shows the data structure of the unit header which contains management information about the unit data in the cartographic file CF. The unit header at least includes the unit ID, the version code, and the data sizes of the eight kinds of tables contained in the unit data. The unit ID is an identification number which uniquely specifies the unit U represented by the cartographic file CF*, [0133]), wherein:

the map-related information obtained by the computer or the map data processing apparatus can be updated in units of the individual divisions by using the management information (*the cartographic data is filed in units divided in rectangular areas and the individual units do not contain any record numbers, record addresses, etc. which are related to the internal data structure of other units, both between neighboring units at the same level and between parent and child units at different levels; this allows the cartographic data to be flexibly updated by replacing a unit file representing an arbitrary area at an arbitrary level*, [0186]).

Regarding **claim 2**, Nakano further discloses:

the map is divided into a plurality of first division units, the first division units are each divided into a plurality of second division units, a number of the second division units is equal among the individual first division units, and the divisions into which the map is divided each corresponding to one of the second division units (*Figure 2 shows a plurality of kinds of maps on different scales are prepared. The largest scale is*

referred to as level 0, the second largest scale as level "1", the third largest scale as level "2", and the smallest scale as level "3". As is thus clear, the cartographic data is composed of the four levels, levels "0" to "3", the level "0" being the largest scale. Further, a map at a higher level is referred to as a higher-level map and one at a lower level is referred to as a lower-level map. A map at a higher level shows a larger area in less detail. On the other hand, a map at a lower level shows a smaller area in more detail. Maps at each level are sectioned at equal intervals in the longitude and latitude directions, [0051]); and

the management information contains a set of management information related to the plurality of second division units, provided in correspondence to each of the first division units (*Figure 7 shows the data structure of the unit header which contains management information about the unit data in the cartographic file CF. The unit header at least includes the unit ID, the version code, and the data sizes of the eight kinds of tables contained in the unit data. The unit ID is an identification number which uniquely specifies the unit U represented by the cartographic file CF*, [0133]).

Regarding **claim 3**, Nakano further discloses the management information further contains management information related to the plurality of first division units (*Figure 7 shows the data structure of the unit header which contains management information about the unit data in the cartographic file CF. The unit header at least includes the unit ID, the version code, and the data sizes of the eight kinds of tables contained in the unit data. The unit ID is an identification number which uniquely specifies the unit U represented by the cartographic file CF*, [0133]).

Regarding **claim 4**, Nakano further discloses:

a plurality of levels are defined, each in correspondence to one of a plurality of different scaling factors at which the map is rendered (*Figure 2 shows a plurality of kinds of maps on different scales are prepared*, [0051]);

the map is divided into a plurality of first division units at each level, the first division units are each divided into a plurality of second division units, the number of second division units is equal among the individual first division units, and the divisions into which the map is divided each corresponding to one of the second division units (*The largest scale is referred to as level 0, the second largest scale as level "1", the third largest scale as level "2", and the smallest scale as level "3". As is thus clear, the cartographic data is composed of the four levels, levels "0" to "3", the level "0" being the largest scale. Maps at each level are sectioned at equal intervals in the longitude and latitude directions*, [0051]);

a plurality of sets of the map-related information are provided in correspondence to the plurality of levels; and the management information contains a set of management information related to the plurality of first division units provided in correspondence to each of levels, and also contains a set of management information related to the plurality of second division units provided in correspondence to each of the first division units (*Figure 7 shows the data structure of the unit header which contains management information about the unit data in the cartographic file CF. The unit header at least includes the unit ID, the version code, and the data sizes of the*

eight kinds of tables contained in the unit data. The unit ID is an identification number which uniquely specifies the unit U represented by the cartographic file CF, [0133]).

Regarding **claim 5**, Nakano further discloses the map-related information which is provided in units of the individual divisions is separated into different types of map-related information to be individually managed (*the data structure of the first link table of Figure 7 is described. Note that the first and second link tables have the same data structure and they differ from each other in that they are respectively generated for highways and streets*, [0121]).

Regarding **claim 6**, Nakano further discloses:

a plurality of levels are defined, each in correspondence to one of a plurality of different scaling factors at which the map is rendered (*Figure 2 shows a plurality of kinds of maps on different scales are prepared*, [0051]);

a plurality of sets of the map-related information are provided in correspondence to the plurality of levels; and as the map-related information provided in units of the individual divisions, at least one type of map-related information available at all levels and another type of map-related information available at, at least, one level are provided separately from each other (*More specifically, the unit ID is a number which identifies the level L of the unit U and the parent-child relation and neighboring relation of the unit U, which is preferably mutually convertible with the path name of the cartographic file CF. For example, when the unit ID is expressed by a 32-bit (4-byte) code, the two bits from the MSB are used as reserved bits, which are followed by the unit level L in 2 bits,*

5-bit sectional position X3 in the longitude direction at the level "3", 5-bit sectional position Y3 in the latitude direction at the level "3", 3-bit sectional position X2 in the longitude direction at the level "2", 3-bit sectional position Y2 in the latitude direction at the level "2", 3-bit sectional position X1 in the longitude direction at the level "1", 3-bit sectional position Y1 in the latitude direction at the level "1", 3-bit sectional position X0 in the longitude direction at the level "0", and 3-bit sectional position Y0 in the latitude direction at the level "0", [0133]).

Regarding **claim 7**, Nakano further discloses:

the one type of map-related information is used to display the map at a display device (*Figure 58(a) shows the terminal device 102 can generate a relatively rough map $\beta_{0,0}$ by superimposing the basic background data table $BBD_{0,0}$, the basic character/symbol data table $BCD_{0,0}$, and the highway network data table $MND_{0,0}$. It can also generate a more detailed map $\beta_{0,0}$ as shown in Figure 58(b) by superimposing the detailed background data table $DBD_{0,0}$, the detailed character/symbol data table $DCD_{0,0}$, and the street network data table $SND_{0,0}$ on the rough map $\beta_{0,0}$ shown in Fig.58(a)*, [0256]); and

the other type of map-related information contains information used in route search (*Figure 33 is a diagram showing the concept of the route search operation. The search is expanded from both of the starting point SP and the destination point DP to obtain the shortest route. The route search uses cartographic files CF at a plurality of levels from a lower level to a higher level*, [0139]).

Regarding **claim 8**, Nakano further discloses:

a connecting point at which the map-related information corresponding to one of two divisions is correlated to the map-related information corresponding to the other division is present at a geographically matching position within the two divisions (*The road network of Figure 26 is formed with 11 nodes N0 to N10 and 11 links L0 to L10. The 11 nodes N0 to N10 are generally classified into non-neighboring nodes and neighboring nodes. The non-neighboring node is a node which is generated at an ordinary intersection or at a point where the road type or attribute changes (which corresponds to the aforementioned section point), which stands for a branching point representing the connection between the roads in the unit U*, [0109]); and

sets of information related to the connecting point contain common two-dimensional coordinate values indicating the position of the connecting point within the map in the map-related information corresponding to the two divisions (*Figure 19 shows a rendered object DO3. The rendered object BO3 includes objects OBJ3 and OBJ4. The object OBJ3 is formed with six element points P0 to P5. The object OBJ4 is formed with four element points P6 to P9 with their corresponding coordinates*, [0092]).

Regarding **claim 9**, Nakano further discloses the two-dimensional coordinate values are values corresponding to latitudinal and longitudinal values (*The world map of Figure 3 is sectioned at intervals of 5 degrees 20 minutes in the latitude direction on the basis of latitude 0 degree. This world map is also sectioned at equal intervals of about 8 degrees in the longitude direction on the basis of longitude 0 degree*, [0052]).

Regarding **claim 10**, Nakano further discloses the information related to the connecting point contains a parameter other than the two-dimensional coordinate values of the connecting point in addition to the two-dimensional coordinate values (*Information representing "national road" is recorded as its road attribute. For the number of links T1, information showing "3" is recorded since the national road is formed with the links L0 to L2. The starting point of the road of the links L0 to L2 is represented by the node N0*, [0124]).

Regarding **claim 13**, Nakano further discloses:

a plurality of levels are defined, each in correspondence to one of a plurality of different scaling factors at which the map is rendered (*Figure 2 shows a plurality of kinds of maps on different scales are prepared*, [0051]);

a plurality of sets of the map-related information are provided in correspondence to the plurality of levels (*Figure 7 shows the data structure of the unit header which contains management information about the unit data in the cartographic file CF. The unit header at least includes the unit ID, the version code, and the data sizes of the eight kinds of tables contained in the unit data. The unit ID is an identification number which uniquely specifies the unit U represented by the cartographic file CF*, [0133]);

the map is divided into a plurality of divisions at each level, and each of the plurality of sets of map-related information, corresponding to a given level, is divided in units of the individual divisions into which the map is divided (*More specifically, the unit ID is a number which identifies the level L of the unit U and the parent-child relation and*

neighboring relation of the unit U, which is preferably mutually convertible with the path name of the cartographic file CF. For example, when the unit ID is expressed by a 32-bit (4-byte) code, the two bits from the MSB are used as reserved bits, which are followed by the unit level L in 2 bits, 5-bit sectional position X3 in the longitude direction at the level "3", 5-bit sectional position Y3 in the latitude direction at the level "3", 3-bit sectional position X2 in the longitude direction at the level "2", 3-bit sectional position Y2 in the latitude direction at the level "2", 3-bit sectional position X1 in the longitude direction at the level "1", 3-bit sectional position Y1 in the latitude direction at the level "1", 3-bit sectional position X0 in the longitude direction at the level "0", and 3-bit sectional position Y0 in the latitude direction at the level "0", [0133]);

the two divisions belong to levels different from each other, and two-dimensional coordinate values of the connecting point at a level at which the map is rendered in greater detail are attached to the two-dimensional coordinate values of the connecting point at a given level (*the map of the unit U_3 is sectioned at intervals of 40 minutes in the latitude direction on the basis of one corner, as shown by the dotted lines. The map of the unit U_3 is further sectioned in the longitude direction at intervals of 1 degree on the basis of the same corner, as shown by the dotted lines. As a result, the map of the unit U_3 is divided into 64 rectangular areas about 80 kilometers square. One unit at the level immediately below (i.e. the level "2") corresponds to a map which shows greater details of one of the rectangular areas about 80 kilometer square*, [0053]).

Regarding **claim 14**, Nakano further discloses:

the map-related information provided in units of individual divisions is separated into different types of map-related information to be individually managed (*background data is composed of basic background table and detailed background table with independent data structures*, [0078]); and

map-related information having the highest priority among the different types of map-related information is managed by setting a predetermined upper limit to the size thereof (*the detailed background extracted from the detailed background table is superimposed on the rough background extracted from the basic background table. The user of the terminal device 1 can then see a detailed map. This embodiment shows an example in which the background data includes the basic background table and the detailed background table; however, when the first storage device 19 or the second storage device 24 has limited storage capacity, the background data may be formed with only the basic background data, so as to achieve size reduction of the first database 111 or the second database 25*, [0078]. *It is clear that the basic background data has higher display priority than detailed background data*).

Regarding **claim 15**, Nakano further discloses if the size of the map-related information having the highest priority exceeds the predetermined upper limit after update, at least map-related information corresponding to an excess beyond the predetermined upper limit to the size, which results from the update, is managed as map-related information with lower priority relative to the highest priority (*when the first*

storage device 19 or the second storage device 24 has limited storage capacity, the background data may be formed with only the basic background data, so as to achieve size reduction of the first database 111 or the second database 25, [0078]. *It is clear that the basic background data has higher display priority than detailed background data, and only the higher-priority (basic background) is displayed when a predetermined size is exceeded*).

Regarding **claim 16**, Nakano further discloses the map-related information with the highest priority includes at least information used to display the map at a display device (*The background expressed by the basic background table and the detailed background table can also be displayed as shown in Figure 8(c). In this case, on the basis of a given origin, the detailed background extracted from the detailed background table is superimposed on the rough background extracted from the basic background table. The user of the terminal device 1 can then see a detailed map,* [0078]).

Regarding **claim 17**, Nakano further discloses:

the map-related information with the highest priority includes at least information used to display the map at a display device (*basic background has highest priority in map display*, [0087]); and

the map-related information with the lower priority relative to the highest priority includes information that enables display of a more detailed map at the display device, compared to the map displayed by using the map-related information with the highest priority (*detailed background has lower priority in map display. The detailed background*

extracted from the detailed background table is superimposed on the rough background extracted from the basic background table to display a complete map, [0087]).

Regarding **claim 18**, Nakano further discloses a data product embodied as a recording medium having the map data recorded therein (*Figure 1*).

Regarding **claim 19**, Nakano clearly shows and discloses a map data processing apparatus, comprising:

a recording medium drive unit at which a data product is loaded (*CD-ROM drive, DVD-ROM drive*, [0049]);

an update data acquisition unit that obtains update data for the map-related information provided in units of the individual divisions (*The received request analyzing portion 22 analyzes the input request REQ and outputs the analyzed result to the read control portion 23. The read control portion 23 reads out the cartographic file CF the terminal device I requires from the second storage device 24 on the basis of the input analyzed result*, [0049]); and

a processing unit that processes the map data based upon the map data recorded in the recording medium and the update data obtained by the update data acquisition unit (*The read control portion 23 may read out the entirety of the cartographic file CF or part of the cartographic file CF*, [0049]).

Regarding **claim 20**, Nakano further discloses:

the map data are map display data; and the processing unit displays a map at a display unit by connecting the map data recorded in the recording medium with the update data obtained by the update data acquisition unit (*When the user of the terminal device 1 wants to add a new cartographic file CF to the first storage device 19 or* update *an old cartographic file CF to a newer version, the user operates the input device 11 to activate the map request/receive function. Next, the user operates the input device 11 according to a menu screen* displayed on the display *of the output device 110 to enter the area and the level (hierarchical level) of the desired map*, [0188]).

Regarding **claim 21**, Nakano further discloses:

the map data are route search data; and the processing unit executes route search processing by connecting the map data recorded in the recording medium with the update data obtained by the update data acquisition unit (*Through the input device, the user requests the terminal device 102 to scroll the map, to change the scale, etc. The output device is mainly composed of a display and a speaker. The display displays a map as required. The display also displays the results of route search or route guide carried out by the data processing portion 1023. The speaker provides the user, through speech, with the results of the route guide process performed by the data processing portion 1023*, [0239]).

Claim Rejections - 35 USC § 103

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

13. **Claims 11-12** are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakano et al. (*Pub. No. EP 1134674, published on September 19, 2001; hereinafter Nakano*), in view of Wilson et al. (*Pat. No. US 6,985,929, filed on August 31, 2000; hereinafter Wilson*).

Regarding **claim 11**, Nakano does not disclose the parameter contains height information indicating a height of the connecting point.

However, Wilson discloses the parameter contains height information indicating a height of the connecting point (*Figure 19 illustrates the flow of operations in Web-based client applet 62 to generate 3D model of the "features" in the current AOI. The Web-based client applet 62 retrieves for point "features" information from a digital terrain elevation database at 100. Then at 102, the Web-based client applet 62 retrieves for area and line "features" two dimensional geospatial data, such as VPF, from server 52a. The Web-based client applet 62 regenerates the "relative" geometry of the two dimensional data at 104. Then, at 106 the three dimensional image is generated using the regenerated two dimensional data of 104 and the digital terrain elevation information of 100*, [Column 16, Lines 32-45]).

It would have been obvious to an ordinary person skilled in the art at the time of the invention was made to incorporate the teachings of Wilson with the teachings of Nakano for the purpose of developing systems capable of immediate and efficient distribution and access to complex data having spatial and temporal information (i.e., geospatial data) ([Column 2, Line 67 → Column 3, Line 3] of Wilson).

Regarding **claim 12**, Wilson further discloses the parameter contains time information related to generation and update of the map-related information provided in units of the individual divisions (*A client initiates an update check. When a user logs onto the Gemstone server 52b (via Browser client 40), a request is sent to the server 52a via ORB-to-ORB communication (i.e., interface system 60a, 60b or 60 in case firewall 70 exists) to check for any update. A check, on whether client server 52b needs an update, from server's 52b client history log 122 is based on a time stamp and the state of the "feature" in terms of its location and "attributes"*, ([Column 19, Lines 14-21]).

Conclusion

14. These following prior arts made of record and not relied upon are considered pertinent to Applicant's disclosure:

Mikuriya et al. (*Pub. No. US 2002/0091485*) teaches map data processing apparatus and method.

Kida (*Pub. No. US 2002/0070981*) teaches position related information presentation system, position related information presentation method and recording medium recording control program thereof.

The Examiner requests, in response to this Office action, support(s) must be shown for language added to any original claims on amendment and any new claims. That is, indicate support for newly added claim language by specifically pointing to page(s) and line no(s) in the specification and/or drawing figure(s). This will assist the Examiner in prosecuting the application.

When responding to this office action, Applicant is advised to clearly point out the patentable novelty which he or she thinks the claims present, in view of the state of the art disclosed by the references cited or the objections made. He or she must also show how the amendments avoid such references or objections See 37 CFR 1.111(c).

Contact Information

15. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Son T. Hoang whose telephone number is (571) 270-1752. The Examiner can normally be reached on Monday – Friday (7:00 AM – 4:00 PM).

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Christian Chace can be reached on (571) 272-4190. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you

have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Son T Hoang/
Examiner, Art Unit 2165
November 19, 2008

/S. P./
Primary Examiner, Art Unit 2164
/John R. Cottingham/
Supervisory Patent Examiner, Art Unit 2167